



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

APR 22 2016

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

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OFFICE OF LAND AND
EMERGENCY MANAGEMENT

Dear Intergovernmental Association Colleague:

The purpose of this letter is to seek your early consultation and input on the Environmental Protection Agency's (EPA) forthcoming proposed rule to require financial responsibility for certain facilities within the hard rock mining industry under section 108(b) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). To that end, consultation is requested pursuant to the terms of Executive Order 13132, entitled "Federalism," which directs Federal agencies to consult with elected State and local government officials, or their representative national organizations, when developing regulations and policies that may impose substantial compliance costs on state and local governments or may preempt current or future state or local laws and regulations.

My office will host an E.O. 13132 consultation briefing about the rulemaking effort on Wednesday, May 18, 2016, from 10:30 am to 12:00 pm EDT in room 4144 of the William Jefferson Clinton Federal Building West, 1301 Constitution Avenue, N.W., Washington, DC 20004. The 1301 Constitution Ave, N.W., entrance is near the corner of 14th and Constitution.

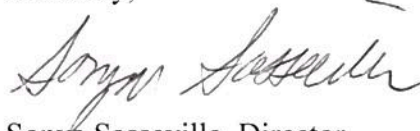
Section 108(b) of CERCLA requires the promulgation of requirements for financial responsibility. In a Federal Register notice dated July 28, 2009, EPA identified classes of facilities within the hardrock mining industry as those for which it will first develop section 108(b) requirements. This rule is scheduled for EPA action by December 1 of this year.

The EPA is inviting the following intergovernmental associations to consult and exchange information about this important action at the briefing: the National Governors' Association, the Western Governors' Association, the National Conference of State Legislatures, the Council of State Governments, the National League of Cities, the U.S. Conference of Mayors, the National Association of Counties, the International City/County Management Association, the National Association of Towns and Townships, the County Executives of America, and the Environmental Council of States. Representatives of the Interstate Mining Compact Commission and the Association of State and Territorial Solid Waste Management Officials will also be invited.

I hope you can join us at EPA headquarters on May 18 to discuss this important forthcoming proposed regulation. At the briefing, the EPA will present background information on the proposed rule and will answer any questions you may have. You will have the opportunity to provide input during the meeting and, after sharing the provided material with your associations' members, submit any written comments to the EPA within 60 days after the meeting.

If you plan to attend, or have any questions about this meeting, please contact Andrew Hanson in the EPA's Office of Congressional and Intergovernmental Relations at hanson.andrew@epa.gov or 202-564-3664. If you have any questions regarding the rule, you may contact Anna Krueger of the Office of Resource Conservation and Recovery at Krueger.Anna@epa.gov or at (703) 347-8959.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sonya Sasseville".

Sonya Sasseville, Director
Program Implementation and Information Division
Office of Resource Conservation and Recovery